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6 Attorneys for Defendants

7 DICK/MORGANTI; DICK CORPORATION; THE  
 MORGANTI GROUP, INC.; AMERICAN  
 8 CASUALTY COMPANY OF READING, PA;  
 NATIONAL UNION FIRE INSURANCE  
 9 COMPANY OF PITTSBURGH, PA; and  
 CONTINENTAL CASUALTY COMPANY

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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

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14 UNITED STATES FOR USE AND  
 BENEFIT OF ISEC, INC., a Colorado  
 15 corporation,

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Plaintiffs,

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vs.

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DICK MORGANTI, a joint venture; DICK  
 CORPORATION, THE MORGANTI  
 GROUP, AMERICAN CASUALTY  
 COMPANY OF READING, PA,  
 NATIONAL UNION FIRE INSURANCE  
 COMPANY OF PITTSBURGH, PA,  
 CONTINENTAL CASUALTY  
 COMPANY, and DOES 1 through 10,

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Defendants.

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Case No. CV-08-1932

**STIPULATION AND [PROPOSED]  
 ORDER TO EXTEND TIME TO FILE  
 (1) ADR CERTIFICATION BY PARTIES  
 AND COUNSEL AND (2) STIPULATION  
 AND [PROPOSED] ORDER  
 SELECTING ADR PROCESS;  
 DECLARATION OF RICK W. GRADY**

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Pursuant to Local Rule 6-2 and the attached declaration of Rick W. Grady, the  
 25 parties hereto stipulate that good cause exists to extend the time for all defendants to  
 26 respond to the Complaint filed herein by the United States for the use and benefit of Isec,  
 27 Inc. to July 16, 2008. The parties are currently involved in good faith efforts to resolve

1 their dispute involving the newly constructed GSA Federal Building in San Francisco, and  
 2 the Initial Case Management Conference is scheduled for July 24, 2008. The parties have  
 3 previously stipulated to an extension for Defendants to respond by June 27, 2008, and  
 4 discussions regarding a potential settlement of this matter are ongoing.  
 5

6 This stipulation affects the July 3, 2008 deadline set by the Court in the Order  
 7 Setting Initial Case Management Conference and ADR Deadlines to file (1) ADR  
 8 Certification By Parties And Counsel and (2) Stipulation And [Proposed] Order Selecting  
 9 ADR Process.

10 Therefore, based upon the parties' stipulation extending the response date to July  
 11 16, 2008, and the upcoming July 3, 2008, deadlines set by the court, the parties hereby  
 12 stipulate and request the court Order the July 3, 2008, deadlines continued to July 16,  
 13 2008, so that the parties may have the opportunity to informally resolve this matter. No  
 14 other deadlines are affected by this stipulation.

15 **SO STIPULATED.**

16  
 17 DATED: 6-27, 2008

18 MUZI & ASSOCIATES

19 By D. Anthony

20 ANDREW C. MUZI  
 DANA L. HARRIS  
 Attorneys for Plaintiff ISEC, Inc.

21 DATED: June 27, 2008

22 ALLEN MATKINS LECK GAMBLE  
 MALLORY & NATSIS LLP

23 By Rick W. Grady

24 RICK W. GRADY  
 Attorneys for Defendants Dick/Morganti,  
 25 Dick Corporation; The Morganti Group,  
 Inc.; American Casualty Company of  
 26 Reading, Pennsylvania; National Union Fire  
 Insurance Company of Pittsburgh,  
 27 Pennsylvania; and Continental Casualty  
 Company

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1 PURSUANT TO STIPULATION, IT IS SO ORDERED  
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4 DATED: \_\_\_\_\_, 2008  
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The Honorable Phyllis J. Hamilton  
U.S. District Court Judge, Northern District  
of California

## **Declaration of Rick W. Grady**

3       1. I, Rick W. Grady, am currently counsel for Defendants Dick/Morganti; Dick  
4 Corporation; The Morganti Group, Inc.; American Casualty Company of Reading,  
5 Pennsylvania; National Union Fire Insurance Company of Pittsburgh, Pennsylvania; and  
6 Continental Casualty Company ("Defendants") in this matter.

7       2. Defendants and Plaintiff Isec, Inc. ("Plaintiff") are engaged in good faith  
8 settlement negotiations that may potentially resolve this case partially, if not entirely. This  
9 case arises from the complex construction project known as the new San Francisco Federal  
10 Building.

11       3. Defendants and Plaintiff have previously agreed to an extension for  
12 Defendants to file a responsive pleading until June 27, 2008.

13       4. Defendants and Plaintiff are requesting a time modification that would only  
14 affect the time for filing an ADR Certification, and either a Stipulation and [Proposed]  
15 Order Selecting ADR Process or a Notice of Need for ADR Phone Conference, as  
16 required by Civil Local Rule 16-8. The Court initially set July 3, 2008 as the deadline  
17 for filing these ADR documents, and Defendants and Plaintiff are requesting by  
18 stipulation that said deadline be moved to July 16, 2008.

19       5.     Except for the July 3, 2008 deadline for filing ADR documents pursuant  
20 to Civil Local Rule 16-8, the schedule for the case will not otherwise be affected.

21 I declare under penalty of perjury under the laws of the State of California that the  
22 foregoing is true and correct. *(Signature)*

23 Executed on June 27, 2008, at San Francisco, CA.  
(Please Verify signature was executed)

(Place Verification was executed).

Printed Name:

Signature:

Rick Brad  
Rick Brad